

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 15, 1999

DIVISION TWO

B118561 Amanda Elliott (Not for Publication)
v.
Nina Pinho
Nicole McEntire

The judgment is reversed. Parties to bear their own costs on appeal.

Nott, J.

We concur: Boren, P.J.
Mallano, J. (Assigned)

B120227 People (Not for Publication)
v.
Linford Samuels

The Court:

The judgment is modified to reflect a \$1,000 fine pursuant to Penal Code section 1202.45, said fine to be suspended unless appellant's parole is revoked. The abstract of judgment is to be amended to reflect this fine and the \$1,000 fine imposed pursuant to Penal Code section 1202.4, subdivision (b). In all other respects, the judgment is affirmed.

Nott, Acting P.J., Zebrowski, J., Mallano, J. (Assigned)

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

DIVISION THREE (Continued)

Each of the following:

B120770 Cummings v. City of Pomona
B119054 People v. Moore
B116940 People v. Major
B124129 People v. Lim
B125551 People v. Caruso
B118083 Estate of Stephen W. Ammerman v. Rapore
B117896 McGee Barker v. L.A. Housing Department
B124821 People v. Jones
B121341 People v. Parish
B120746 People v. Cardeno
B122197 People v. Bustamante
B124952 People v. Richard N.
B118514 People v. Burns

Argument waived, cause submitted.

B121812 People
 v.
 Young

Merits:
Argued by Peter A. Leeming for appellant and by David A. Wildman,
deputy attorney general, for respondent. Cause submitted.

B127124 County of Los Angeles
 v.
 Hilda A.

Merits:
Argued by Michael Salazar for appellant and by Joanne N. Romero, deputy
county counsel, for respondent. Cause submitted.

DIVISION THREE (Continued)

B117577 Warren
 v.
 Cedars-Sinai Medical Center

Merits:

Argued by Ronda L. Warren, appellant in propria persona and by L. Rachel Helyar for respondent. Cause submitted.

B126690 Abner
 v.
 Compton Unified School District

Merits:

Argued by Frank Sanes for appellant and by Stephen K. Matson for respondent. Cause submitted.

B121678 Estate of Stephen W. Ammerman
 v.
 Best

Merits:

Argued by Suzanne Best, appellant in propria persona and by Susan Cooley for respondent. Cause submitted.

The Court recessed at 10:50 A.M.

The Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Aldrich, J., and Valorie Gray, Deputy Clerk.

B118369 Desmond
 v.
 Heritage Escrow Services of Long Beach

Merits:

Argued by Richard P. Dieffenbach for appellant and by Ronald S. Cooper for respondent. Cause submitted.

DIVISION THREE (Continued)

B131186 Darryl D.
v.
S.C.L.A.
(County of Los Angeles, r.p.i.)

Merits:

Argued by Darryl D.,petitioner in propria persona and by Angela Williams,
deputy county counsel, for real party in interest. Cause submitted.

The court adjourned at 4:10 P.M.

DIVISION FOUR

B115856 People (Not for Publication)
v.
Arabyan

The judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment to reflect appellant's sentence on count 1 is life imprisonment instead of life imprisonment without possibility of parole.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B127202 Goodson (Not for Publication)
v.
Goodson

The Court:

The motions are denied. The parties are to bear their own costs.

Epstein Acting P.J., Hastings, J., Curry, J.

DIVISION FOUR (Continued)

B130332 Cano (Certified for Publication)
v.
S.C.L.A.
The People

Let a writ issue under the seal of this court prohibiting the respondent court from proceeding further in Los Angeles Superior Court case number KA042302 or otherwise interfering with defendant's service of the sentence which the trial court imposed; and directing the court to vacate all orders made after sentencing of defendant. Defendant is to be returned to the custody of the Department of Corrections to complete his prison term.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

B129434 Salazar (Not for Publication)
on
Habeas Corpus

The petition is granted. Petitioner Salazar is deemed to have filed a timely notice of appeal from the October 16, 1997 resentencing in which the trial court declined to strike a prior conviction for purposes of sentencing.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

B130389 Suzette H. (Not for Publication)
v.
Superior Court, Los Angeles County
(D.C.F.S., r.p.i.)

The writ is denied.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

DIVISION SIX

[illegible]

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.
 Coffee, J.

B128320 Wiley (Not for Publication)
v.
Retirement Board of the Santa Barbara County Employees Retirement
System

The judgment is affirmed. Respondent is awarded costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
Matz, J. (Assigned)

B118704 Gove et al. (Not for Publication)
v.
Modern Service Insurance Company

The judgment is affirmed. Costs are awarded to MIS.

Gilbert, Acting P.J.

We concur: Yegan, J.
Coffee, J.

June 15, 1999-Continued

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.
Coffee, J.

B123564 People (Not for Publication)
v.
Womack

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, Acting P.J.
 Yegan, J.

B127054 People (Not for Publication)
v.
Harris

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.
Coffee, J.

June 15, 1999-Continued

DIVISION SIX (Continued)

B118199 People (Not for Publication)
v.
Schweit

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.
Coffee, J.

B128394 People (Not for Publication)
v.
Joyce

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.
Coffee, J.

[illegible]

The judgment is affirmed.

Gilbert, Acting P.J.

We concur: Yegan, J.
Coffee, J.

DIVISION SIX (Continued)

B117977 People (Not for Publication)
v.
Bennett

We order the clerk of the superior court to prepare and forward to the Department of Corrections an amended abstract of judgment reflecting the restitution fines imposed pursuant to Penal Code sections 1202.4, subdivision (b) and 1202.45. In all other respects, the judgment is affirmed.

Yegan, J.

We concur: Gilbert, Acting P.J.
 Coffee, J.

DIVISION SEVEN

[illegible]

The judgment is affirmed.

Lillie, P.J.

We concur: Woods, J.
Neal, J.

B120311 People (Not for Publication)
v.
Valencia

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

DIVISION SEVEN (Continued)

B128495 People v. Wise (Not for Publication)

The judgment is modified to impose a \$2,500 parole revocation restitution fine under Penal Code section 1202.45. The parole revocation restitution fine is stayed until such time as appellant is recommitted to state prison for this offense after revocation of parole. In all other respects, the judgment is affirmed. The court shall cause its clerk to send the California Department of Corrections an amended abstract of judgment. The abstract of judgment shall include the imposition of the restitution fines under Penal Code sections 1202.4 and 1202.45.

Lillie, P.J.

We concur: Johnson, J.
 Neal, J.

B124241 People v.
Harris

(Not for Publication)

The judgment is modified to impose a suspended \$200 fine pursuant to Penal Code section 1202.45, to remain suspended unless and until appellant violates parole. The clerk of the superior court is ordered upon issuance of the remittitur to prepare a corrected abstract of judgment as set forth in this opinion and forward it to the Department of Corrections. In all other respects, the judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Neal, J.

DIVISION SEVEN (Continued)

B121311 People (Not for Publication)
v.
Grandy

The judgment is modified by striking appellant's conviction for possessing cocaine base for sale and entering, in lieu thereof, a conviction for simple possession of cocaine under Health and Safety Code section 11350, subdivision (a). The order sentencing appellant under the Three Strikes law (Pen. code, && 667, subs. (b) to (i); 1170.12) is also reversed and the cause is remanded for the court to reconsider whether it will exercise its discretion to grant appellant leniency under Penal Code section 1385. In all other respects, the judgment is affirmed. After resentencing, the court shall cause its clerk to send an amended abstract of judgment to the California Department of Correction stating modified judgment.

Lillie, P.J.

We concur: Woods, J.
Neal, J.

B117443	People v. Lombardelli	(Not for Publication)
B126575	In Re Lombardelli on Habeas Corpus	

The judgment is modified to strike the five-year enhancements pursuant to Penal Code section 667, subdivision (a), which had heretofore been stayed, to strike the weapon use enhancements in counts 2, 3, and 4 which had also been stayed, and to impose a suspended \$200 fine pursuant to Penal Code section 1202.45, to remain suspended unless and until defendant violates parole. The clerk of the superior court is ordered upon issuance of the remittitur to prepare a corrected abstract of judgment as set forth in this opinion and forward it to the Department of Corrections. In all other respects, the judgment is affirmed. The petition for writ of habeas corpus is denied.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

DIVISION SEVEN (Continued)

B115212 People (Not for Publication)
v.
Walter David T.

The Court:

The judgment is modified to impose a parole revocation fine of \$10,000, to remain suspended unless and until appellant violates parole. The superior court is directed to correct the abstract of judgment to reflect the restitution and parole revocation fines and deliver the amended abstract of judgment to the Department of Corrections. The judgment is affirmed as modified.

Lillie, P.J., Acting P.J., Woods, J., Neal, J.

B124315 Funderburk (Not for Publication)
v.
St. John's Hospital & Health Center et al.

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Neal, J.

B119992 Office of the District of Los Angeles County (Not for Publication)
v.
Bozanich

The judgment is affirmed.

Lillie, P.J.

We concur: Woods, J.
Neal, J.

DIVISION SEVEN (Continued)

B112747 Hanson (Not for Publication)
v.
Patrick Media Group, Inc.

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

B121856 Robbins (Not for Publication)
v.
County of Los Angeles

The judgment is affirmed. Respondent is entitled to costs on appeal.

Lillie, P.J.

We concur: Johnson, J.
 Neal, J.

B127234 Bellardine (Not for Publication)
v.
Appleone Employment Services

The order is affirmed. Respondent is entitled to costs on appeal.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.